

The Honorable Robert J. Bryan

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON,

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant.

CIVIL ACTION NO. 3:17-cv-05806-RJB

DECLARATION OF DEBRA EISEN  
IN SUPPORT OF STATE OF  
WASHINGTON'S RESPONSE TO  
THE COURT'S PROPOSED ORDER  
GRANTING SUMMARY  
JUDGMENT OF DISMISSAL (ECF NO.  
306)

DECLARATION OF DEBRA EISEN IN  
SUPPORT OF STATE OF WASHINGTON'S  
RESPONSE TO THE COURT'S PROPOSED  
ORDER GRANTING SUMMARY JUDGMENT  
OF DISMISSAL

ATTORNEY GENERAL OF WASHINGTON  
Civil Rights Division  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104-3188  
(206) 464-7744

1 Under penalty of perjury under the laws of the United States of America, I, Debra Eisen,  
2 certify that the below is true and correct:

3 1. My name is Debra Eisen. I am over the age of 18 and competent to testify in this  
4 matter.

5 2. I am the Contracts Administrator for the Washington State Department of  
6 Corrections (DOC). I have worked in this role since February 2018. My job duties include  
7 delegated authority from the Secretary to sign agency contracts, responsibility for coordination  
8 and administration of agency contracts and procurements, ensuring contracting compliance with  
9 applicable laws, regulations and policies and managing seven staff members. My team is  
10 responsible for drafting contracts and amendments, coordinating procurements and overseeing  
11 DOC's contracting function for goods and services between DOC and third-party vendors and  
12 other governmental entities. Prior to my promotion to Contracts Administrator, I worked as a  
13 Senior Contracts Attorney for DOC. I held that role from 2004 until February 2018.

14 3. DOC maintains contracts with many other government entities to confine state  
15 inmates. Pursuant to these contracts, DOC inmates may be confined at other states' prisons, tribal  
16 prisons or local county-run detention facilities.

17 4. DOC does not confine state inmates with private contractors in Washington.  
18 Indeed, DOC does not have statutory authority to do so. DOC only has statutory authority to  
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1 contract for detention services with private companies “in other states.” *See* Wash. Rev. Code  
2 72.68.040.

3 5. Currently, DOC does not have any contracts for detention services with private  
4 contractors at all. Previously, DOC did have a contract with The GEO Group, Inc. (GEO), from  
5 May 1, 2015 through August 31, 2018 for detention services in Michigan.

6 6. Even when in effect, however, DOC never actually sent state inmates to the GEO  
7 facility in Michigan. As a consequence, no DOC state inmate ever worked in an inmate work  
8 program run by GEO.

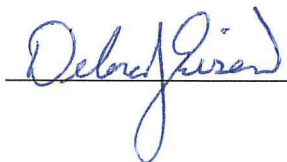
9 7. DOC executed its contract with GEO so that bed space would be available in the  
10 event that DOC’s own in-state facilities or other government-contracted facilities were  
11 overcrowded. However, DOC never sought performance of the GEO contract because DOC was  
12 able to house inmates in DOC owned facilities or other government-contracted facilities.

13 8. In addition, DOC does not otherwise contract with private companies to provide  
14 even limited kitchen and/or laundry services within DOC’s facilities. Any inmate work program  
15 operated within a DOC prison facility is run by DOC.

16 9. As a state correctional institution, DOC’s inmate work programs are exempt from  
17 Washington’s Minimum Wage Act. *See* Wash. Rev. Code 49.46.010.

18 I declare under penalty of perjury under the laws of the United States that the foregoing  
19 is true and correct.

20 Dated this 4th day of October 2019 in Tumwater, Washington.

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was electronically filed with the United States District Court using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated this 4th day of October 2019 in Seattle, Washington.

s/ Caitilin Hall  
CAITILIN HALL  
Legal Assistant

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